

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

ERIC ENGLISH,)	
)	
Petitioner,)	8:13CV308
)	
v.)	
)	
GARY RANDALL, Judge of 4th)	MEMORANDUM AND ORDER
Judicial District; SHERIFF)	
OF DOUGLAS COUNTY; STATE OF)	
NEBRASKA,)	
)	
Respondents.)	
_____)	

This matter is before the Court on its own motion. The above-captioned matter has been provisionally filed on October 9, 2013 (Filing No. [1](#)). However, due to certain technical defects, the petition cannot be further processed until such defects are corrected. To assure further consideration of the petition, petitioner must correct the defect listed below. **FAILURE TO CORRECT THE DEFECT MAY RESULT IN DISMISSAL OF THE PETITION.**

Petitioner has failed to include the \$5.00 filing fee. Petitioner has the choice of either tendering the \$5.00 fee to the Clerk of the Court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If petitioner chooses to do the latter, the enclosed pauper's forms should be completed and returned to this court.

IT IS ORDERED:

1. Petitioner is directed to correct the above-listed technical defect in the Petition on or before November 15, 2013.

2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.

3. The Clerk of the Court is directed to send petitioner the Form AO 240, Application to Proceed Without Prepayment of Fees and Affidavit.

4. The Clerk of the Court is directed to set a pro se case management deadline in this case with the following text:
November 15, 2013: deadline to submit IFP application or to pay \$5.00 filing fee.

DATED this 17th day of October, 2013.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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